



**RCA
CITY OF AUSTIN
RECOMMENDATION FOR COUNCIL ACTION**

**AGENDA ITEM NO.: 3
AGENDA DATE: Thu 07/28/2005
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SUBJECT: Approve a resolution authorizing the City Manager to negotiate and execute an amendment to the First Agreement For The Provision Of Wholesale Wastewater Service Between The City Of Austin and The City Of West Lake Hills in order to modify the administrative processes and definitions related to the provision of City of Austin wholesale wastewater service.

AMOUNT & SOURCE OF FUNDING: No City funds are required by this action.

FISCAL NOTE: There is no unanticipated fiscal impact. A fiscal note is not required.

REQUESTING DEPARTMENT: Austin Water Utility
DIRECTOR'S AUTHORIZATION: Chris Lippe

FOR MORE INFORMATION CONTACT: Bart Jennings, 972-0118; Laura Wiley, 972-0104

PRIOR COUNCIL ACTION: N/A

BOARD AND COMMISSION ACTION: Recommended by Water and Wastewater Commission

PURCHASING: N/A

MBE / WBE: N/A

The City of Austin (Austin) and the City of West Lake Hills (West Lake Hills) executed a wholesale wastewater agreement for the provision of wastewater service to West Lake Hills on May 3, 2001. To date, West Lake Hills is in full compliance with the terms and conditions of the agreement. As of June 1, 2004, West Lake Hills has connected 76 single-family residential lots and no commercial customers, in accordance with the terms of the agreement.

The agreement currently limits the provision of wholesale wastewater service to only those single-family lots that are ¾ acre or less in size. The agreement allows West Lake Hills to request an administrative exception to the size limitation to the Director of the Austin Water Utility. As of June 1, 2004, West Lake Hills has submitted 175 exception requests due to the age of the septic system, the condition of the septic system, geological conditions of the property, and the ability for a replacement septic system to be approved in accordance with Texas Commission on Environmental Quality and Travis County septic tank rules and regulations. In accordance with the agreement, the Austin Water Utility has approved 105 of West Lake Hills' requests. The Austin Water Utility requests the following changes to the contract:

1. Eliminate the lot size requirement in the agreement to allow West Lake Hills to determine which existing single-family residential lots may be provided wholesale wastewater service by Austin;
2. Allow administrative changes to points of entry and peak flow limitations for a specific point of entry into Austin's wastewater system based upon engineering analysis; and
3. Clarify the definition of the calculation of peak wastewater flows and reporting requirements. West Lake Hills would continue to be responsible and held liable for contract compliance concerning total peak wastewater flow limitations.

These changes do not modify the maximum wastewater service level provided in the wholesale



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agreement.

No. 080404-G

**WATER AND WASTEWATER COMMISSION RESOLUTION
RESOLUTION AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE AN
AMENDMENT TO THE FIRST AGREEMENT FOR THE PROVISION OF WHOLESAL
WASTEWATER SERVICE BETWEEN THE CITY OF AUSTIN AND THE CITY OF WEST LAKE
HILLS IN ORDER TO MODIFY THE ADMINISTRATIVE PROCESSES AND DEFINITIONS
RELATED TO THE PROVISION OF CITY OF AUSTIN WHOLESAL WASTEWATER SERVICE**

**AUGUST 4, 2004
REGULAR MEETING
VOTE: 7-0-1-1**

Motion made by: Miller
Commissioners Consenting: Chan, Lee, Kirfman, Coleman, Pool, Raun
Commissioners Dissenting:
Commissioners Abstaining: Friese
Commissioners Absent: Warner

The Water and Wastewater Commission recommends the Council Adopt a resolution authorizing the City Manager to negotiate and execute an amendment to the First Agreement for the Provision of Wholesale Wastewater Service between the City of Austin and the City of West Lake Hills in order to modify the administrative processes and definitions related to the provision of City of Austin wholesale wastewater service.

Commissioner Friese abstained due to conflict of interest.


Chien Lee, Vice-Chairperson
Water and Wastewater Commission

8-4-04
Date

RESOLUTION NO.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

The City Manager is authorized to negotiate and execute an amendment to the First Agreement for the Provision of Wholesale Wastewater Service between the City of Austin and the City of West Lake Hills to modify the administrative processes and definitions related to the provision of City of Austin wholesale wastewater service.

ADOPTED: _____, 2005

ATTEST: _____

Shirley A. Brown
City Clerk

